

EXECUTIVE COUNCIL OF IOWA

MINUTES

OCTOBER 29, 2012

The Executive Council met in regular session at 10:03 a.m. Room G09 of the Capitol Building with Governor Terry Branstad presiding. Secretary of State Matt Schultz, Treasurer of State Michael Fitzgerald (via telephone) and Secretary of Agriculture William Northey (via telephone) were present. Auditor of State David Vaudt was absent.

Regular session
October 29,
2012

Moved by Secretary Schultz and seconded by Treasurer Fitzgerald that the Council approve the minutes of the Executive Council meeting held October 22, 2012.

Minutes
Approved

The vote: Ayes: Governor Branstad
 Secretary Schultz
 Treasurer Fitzgerald
 Secretary Northey
 Nays: None

David Mitchell, Vocational Rehabilitation Services, was present to request new memberships in the following:

Approved New
Membership

1. Oskaloosa Area Chamber and Development Group for nine months in the amount of \$82.50
2. Shelby County Chamber of Commerce for nine months in the amount of \$75.00

Moved by Treasurer Fitzgerald and seconded by Secretary Schultz that the Council approve the requests.

The vote: Ayes: Governor Branstad
 Secretary Schultz
 Treasurer Fitzgerald
 Secretary Northey
 Nays: None

Moved by Secretary Schultz and seconded by Treasurer Fitzgerald that the Council approve the requests from the Department of Justice, Attorney General's office as follows:

Approved
Outside
Counsel

- A. Retention of outside counsel pursuant to Iowa Code section 13.3(1) in Eleanor Murphy v. Iowa Veterans Home, State of Iowa and the Second Injury Fund, a worker's compensation case filed by a state employee.

Firm: Patterson Law Firm, L.L.P.
Attorney: Ryan Clark
505 5th Avenue, Suite 729
Des Moines, IA 50309-2390
Rate: \$80.00 per hour

- B. Retention of special counsel pursuant to Iowa Code section 13.7 to provide legal advice to the Treasurer's Office on unclaimed property issues involving the Employee Retirement Income Security Act.

Firm: Finley Alt Smith Scharnberg Craig Hilmes & Gafney, P.C.
Attorney: David C. Craig
699 Walnut Street
1900 Hub Tower
Des Moines, IA 50309
Rate: \$260.00 per hour

- C. Request to execute a new contract pursuant to Iowa Code section 13.7 to represent various Agencies in copyright, trademark, and patent matters.

Firm: Davis Brown
Attorney: Mr. Kent Herink
Davis Brown Tower
215 10th Street, Ste. 1300
Des Moines, IA 50309
Rate: \$120.00 per hour

- D. Retention of outside counsel pursuant to Iowa Code section 13.7 to represent the State of Iowa in Kenneth W. Kelley v. Raymond J. Smith et al., a tort case filed in the State of Alabama.

Firm: Bradley Arant Boult Cummings LLP
Attorney: Mr. Matthew H. Lembke
One Federal Place
1819 5th Avenue North
Birmingham, Alabama 35205
Rate: \$490.00 per hour

The vote: Ayes: Governor Branstad
 Secretary Schultz
 Treasurer Fitzgerald
 Secretary Northey
 Nays: None

Moved by Secretary Schultz and seconded by Secretary Northey that the Council approve the following cost items:

Approved Cost
Items

- A. Nyemaster, Goode, West, Hansell & O'Brien, P.C.....\$6,386.70
 700 Walnut Street
 Suite 1600
 Des Moines, IA 50309
Collections of Accounts in Court
- B. Shuttleworth and Ingersoll, P.L.C..... \$4,200.75
 115 3rd Street South East
 Suite 500
 Cedar Rapids, IA 52401
Mills v. Iowa Board of Regents et al., an employment termination case
- C. Dow Lohnes PLLC.....\$2,696.00
 1200 New Hampshire Ave NW Suite 800
 Washington, DC 20036
Iowa Public Television
- D. Wandro & Associates, P.C.\$2,175.00
 2501 Grand Avenue, Suite B
 Des Moines, IA 50312
Unclaimed Property Probate Matters

The vote: Ayes: Governor Branstad
 Secretary Schultz
 Treasurer Fitzgerald
 Secretary Northey
 Nays: None

Moved by Secretary Northey and seconded by Secretary Schultz that the Council approve the renewal memberships follows:

Approved
Renewal
Memberships

- A. Emergency Management in National Emergency Number Association (NENA) in the amount of \$130.00 for January 1, 2013 - December 31, 2013.

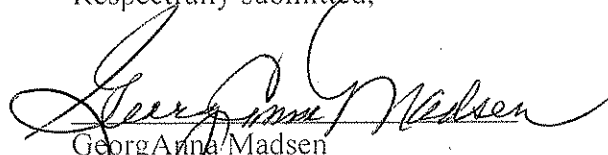
- B. IPERS in International Foundation of Employee Benefit Plans (IFEBP) in the amount of \$780.00 for January 1, 2013 - December 31, 2013.
- C. Natural Resources in American Fisheries Society (AFS) in the amount of \$1,600.00 for January 1, 2013 - December 31, 2013.
- D. Transportation in Commercial Vehicle Safety Alliance (CVSA) in the amount of \$7,900.00 for January 2013 - January 2014.
- E. Transportation in Heavy Vehicle Electronic License Plate, Inc. (HELP, Inc.) in the amount of \$15,000.00 for October 1, 2012 - September 30, 2013.

The vote: Ayes: Governor Branstad
 Secretary Schultz
 Treasurer Fitzgerald
 Secretary Northey
 Nays: None

The meeting was adjourned at 10:08 a.m.

Meeting
adjourned

Respectfully submitted,


GeorgAnna Madsen
Executive Secretary